

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Singular Computing, LLC,	)	
Plaintiff,	)	
	)	
	)	
vs.	)	Case No. 19-cv-12551-FDS
	)	
	)	
Google, LLC,	)	
Defendant.	)	

BEFORE: The Honorable F. Dennis Saylor, IV

Video Status Conference

John J. Moakley Courthouse  
1 Courthouse Way  
Boston, Massachusetts  
August 27, 2021

Marianne Kusa-Ryll, RDR, CRR  
Official Court Reporter  
United States District Court  
595 Main Street, Room 514A  
Worcester, Massachusetts 01608-2093  
508-929-3399 justicehill@aol.com  
Mechanical Steno - Transcript by Computer

1 APPEARANCES (REMOTELY):

2 Prince Lobel Tye LLP  
3 Paul J. Hayes, Esquire  
4 Kevin Gannon, Esquire  
5 One International Place  
6 Suite 3700  
7 Boston, Massachusetts 02110  
8 On behalf of the Plaintiff

9 Keker & Van Nest & Peters LLP  
10 Matthias A. Kamber, Esquire  
11 633 Battery Street  
12 San Francisco, California 94111  
13 On behalf of the Defendant

14 Kwun Bhansali Lazarus LLP  
15 Michael S. Kwun, Esquire  
16 555 Montgomery Street  
17 Suite 750  
18 San Francisco, California 94111  
19 On behalf of the Defendant  
20  
21  
22  
23  
24  
25

P R O C E E D I N G S

(The following proceedings were held remotely before the Honorable F. Dennis Saylor, IV, Chief United States District Judge, United States District Court, District of Massachusetts, on August 27, 2021.)

THE CLERK: All right. Court is now in session in the Matter of Singular Computing, LLC, versus Google, LLC, Civil Action No. 19-12551.

I just want to remind that photographing, recording, and rebroadcasting of this hearing is prohibited and may result in sanction.

Would counsel please identify themselves for the record, starting with the plaintiff.

MR. HAYES: Paul Hayes for the plaintiff.

MR. GANNON: Kevin Gannon for the plaintiff.

THE COURT: Good afternoon.

MR. KAMER: Matthias Kamer from Keker, Van Nest & Peters on behalf of Defendant Google.

THE COURT: Good afternoon.

MR. KAMER: Good afternoon.

THE COURT: All right. This is a --

MR. KWUN: Michael Kwun --

THE COURT: Sorry.

MR. KWUN: -- on behalf of Google.

1 THE COURT: Good afternoon.

2 All right. Good afternoon, everyone. This is a  
3 status conference in this matter. I see the magistrate judge  
4 has issued some rulings.

5 Where are we? Mr. Hayes?

6 MR. HAYES: I think we're about 98 percent done,  
7 Judge. The magistrate has issued his rulings, and I assume  
8 that no one's going to appeal from them because they're all  
9 about interrogatories, et cetera.

10 And, so, that's done, and we finally got a Notice of  
11 Deposition. We got the deposition of Chen scheduled for  
12 September 17th, so I assume that after that occurs, that should  
13 be it.

14 THE COURT: All right.

15 MR. HAYES: So that's nothing. That's it.

16 THE COURT: Okay. Mr. Kamber.

17 MR. KAMBER: I agree with Mr. Hayes. I think it's  
18 that deposition that's going to proceed and has been scheduled,  
19 and we do not plan to appeal the -- Judge Cabell's rulings to  
20 your Honor. So I think that's done.

21 And I believe he has now ruled on and disposed of all  
22 of the pending motions that were before him.

23 THE COURT: Okay. I see that there's a handful of  
24 motions to seal that I will grant, and then there's -- there's  
25 a motion for a protective order that's listed as still pending

1 from July, Mr. Kamber, your motion. Is that --

2 MR. KAMBER: Yeah, that's not still pending. We -- we  
3 noted in our reply that that was moot --

4 THE COURT: Okay.

5 MR. KAMBER: -- and we flagged that for Judge Cabell  
6 at the hearing with him on Tuesday.

7 THE COURT: Okay.

8 MR. KAMBER: I think he probably just hasn't gotten  
9 around to finally disposing of it.

10 THE COURT: Okay. We'll clear up that so that the  
11 docket is clear.

12 I'm not sure I see a need for a status conference for  
13 the wrap up of discovery. And then I guess we go into the  
14 waiting period here, waiting for something to emit from  
15 Washington.

16 Does anyone have a different view on that?

17 Mr. Hayes?

18 MR. HAYES: No, your Honor.

19 THE COURT: Mr. Kamber?

20 MR. KAMBER: No, your Honor.

21 THE COURT: All right. What I would like to do is  
22 within some fairly prompt point after any kind of decision from  
23 Washington, even if you haven't fully digested it or figured  
24 out what your strategy is going to be, I'd like to reconvene  
25 for a status conference. So if you can notify the clerk, I'd

1     like to set something up within a week certainly, scheduling  
2     permitting, to just talk about, okay, you know, in general  
3     terms where do we go from here.

4             But I'll put the ball in your courts collectively to  
5     make that happen and to make sure that this litigation is going  
6     forward that we're talking about that as soon as practicable.  
7     And, obviously, it's possible something could happen between  
8     now and then; you know, who knows. The deposition to preserve  
9     testimony, I mean, there's lots of things that, you know, might  
10    possibly need to happen; but otherwise, we will wait.

11            All right. Anything else? Mr. Hayes?

12            MR. HAYES: No, that's about it, Judge.

13            THE COURT: Mr. Kamber?

14            MR. KAMBER: Nothing else, your Honor. Thank you.

15            THE COURT: Okay. Thank you, all.

16            MR. HAYES: Thank you. Bye.

17            (At 3:35 p.m., Court was adjourned.)

18

19

20

21

22

23

24

25

C E R T I F I C A T E

I, Marianne Kusa-Ryll, RDR, CRR, do hereby  
certify that the foregoing transcript is a true and accurate  
transcription of my stenographic notes before the Honorable F.  
Dennis Saylor, IV, to the best of my skill, knowledge, and  
ability.

/s/ Marianne Kusa-Ryll

10/01/2021

Marianne Kusa-Ryll, RDR, CRR

Date

Official Court Reporter